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No. 06-799

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SUPREME COURT, U.S.

In The

Supreme Court of the United States

D.T. & M.T.ON BEHALF OF MINOR CHILD, N.T.,

Petitioner,

v.

BRIDGEWATER-RARITAN REGIONAL,

Respondent,

Petition for a Writ of Certiorari to the New Jersey Supreme Court

Reply Brief in Support of Petition For Writ of Certiorari

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March 2, 2007

TABLE OF CONTENTS

Page

TABLE OF AUTHORITIES.....ii

INTRODUCTION.....1

REASONS FOR GRANTING THE WRIT.....1

1. The Respondents are misleading the court by these false statements and using all misguiding case laws as the Pro-se Petitioners did provide Prima Facie evidence on the No Child Left Behind Act and the Fourteenth Amendment, within their briefs on the lower courts.....1

2. The Pro-se Petitioners were following the section addressed to Pro-se Petitioners, under N.J.A.C. 6A:3-8.1 of Title 18A and Title 6A and did properly serve their brief/petition upon the correct party.....3

CONCLUSION.....5

TABLE OF AUTHORTIES

STATUTES AND REGULATIONS **PAGE**

Fourteenth Amendment
of the United States Constitution..... 1 & 2

No Child Left Behind (NCLB) Act..... 1 & 2

TITLE 18A and TITLE 6A .....3 & 4

N.J.A.C. 6A:3-8.1.....1, 2, 3 & 4

N.J.A.C. 6A:3-8.1(a) 2.....2, 3 & 4

N.J.A.C. 6A:3-1.3(a) and (c) 4.....3

INTRODUCTION

The United States Supreme Court should take the opportunity to provide guidance in evaluating all Pro-se Petitioners standards as it now affects the distribution in N.J.A.C. 6A:3-8.1 from one Pro-se Petitioner to another and not in parallel with the federally required laws of the No Child Left Behind Act. This Court has jurisdiction and should grant the Petition for a Writ of Certiorari.

REASONS FOR GRANTING THE WRIT

1. The Respondents are misleading the court by these false statements and using all misguiding case laws as the Pro-se Petitioners did provide Prima Facie evidence on the No Child Left Behind Act and the Fourteenth Amendment, within their briefs on the lower courts.

The Respondents Brief of Opposition claims that the Pro-se Petitioners do not have a right to have their Petition for a Writ of Certiorari heard, for the reason that the Pro-se Petitioners "allegedly" did not previously present evidence in the lower courts, of the information on the No Child Left Behind (NCLB) Act and the Fourteenth Amendment of the United States Constitution.

The Respondents are misleading the court by these false statements and using all misguiding case laws. The Pro-se Petitioners did provide evidence of information on the No Child Left Behind Act and the Fourteenth Amendment, within their briefs on the lower courts. The Pro-se Petitioner's brief to the NJ Appellate Division and the NJ Supreme Court had cited to this information, by providing

evidence in the Appendix of the brief (Pra-22 to 27). Also the NJ Education Law Center (Pra-22 to 27) had stated that they also recognized that the rules and regulations regarding Pro-Se Petitioners under N.J.A.C. 6A:3-8.1 are not in parallel with the federally required laws of the No Child Left Behind Act. The NJ Education Law Center also pleaded with the NJ Department of Education that they recognize this issue, in which all Pro-se Petitioners are not treated equally under N.J.A.C. 6A:3-8.1.

However, the lower courts willfully chose to ignore the Prima Facie evidence that was presented (Pra-22 to 27) and denied the Pro-se Petitioner's appeals.

The Respondents are misguiding the courts by directing attention to artificial statements, while trying to have this court ignore the actual matter at hand, which was presented in the lower courts, in regards to the educational polices for Pro-se Petitioners and how they are confusing and discriminatory, which leads to the No Child Left Behind Act and the Fourteenth Amendment.

From the very beginning, the Respondents have been deliberate in trying to deter the courts from the real matter at hand and have repeatedly directed the courts to ignore the most important issue of Pro-se Petitioners under N.J.A.C. 6A:3-8.1 and confusing policies in the educational rule books, which is why a Pro-se Petitioners under N.J.A.C. 6A:3-8.1(a)2 of N.J.A.C. 6A:3-8.1 highly effects the General Public and is of great importance, for the future of all Pro-se Petitioners and their cases being unfairly dismissed. The Pro-se Petitioners did not receive "Due Process to a fair hearing" in the lower Courts, which is required under the Fourteenth Amendment of the United States Constitution.

The Respondents misapplication brief in Opposition to The Petition for Writ of Certiorari only reinforces the need for the United States Supreme Court to grant the Writ.

2. The Pro-se Petitioners were following the section addressed to Pro-se Petitioners, under N.J.A.C. 6A:3-8.1 of Title 18A and Title 6A and did properly serve their brief/petition upon the correct party.

In response to the argument of the Pro-se Petitioners not fulfilling an "alleged" responsibility of serving a copy of their brief upon the School Boards Attorney: In previous briefs provided by the petitioners, to the lower courts there is Prima Facie evidence of a letter dated 2/26/04 (Pa-1 & 2) which was written by NJ Department of Education, the office of the Bureau of Controversies and Disputes, which states that the petitioner did properly serve their brief/petition upon the correct party(s), pursuant to N.J.A.C 6A:3-1.3(a) and (c)4 and that they held evidence submitted by the Pro-se Petitioners, that this was done. It was also noticed in the footnote, of the State Board of Education decision dated 2/2/05. According to the above mentioned Rule and pursuant with Title 18A and Title 6A, under N.J.A.C. 6A:3-8.1(a)2 it states: "Pro-se Petitioners need not submit their brief upon the Respondent District Board of Education, but may instead be filed directly with the Bureau of Controversies and Disputes". "The Bureau will then transmit by facsimile a copy of the petition to the District Board, together with notice of the board's obligation to answer". It would then become the Board's responsibility to forward over any documents to any attorneys that were representing them. It was not the duty of the Pro-se Petitioners to send any briefs to the Board's Attorney. This is all clearly stated under N.J.A.C. 6A:3-8.1.

Hence, the Pro-se Petitioners were following the section

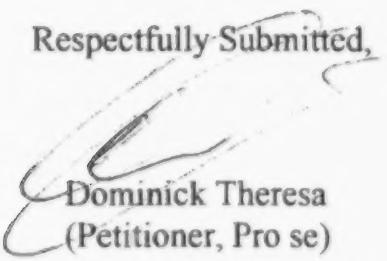
addressed to Pro-se Petitioners, under N.J.A.C. 6A:3-8.1(a)2 of Title 18A and Title 6A. However, this is where the problem seems to lie, under Rule N.J.A.C. 6A:3-8.1, where discrimination of one Pro-se Petitioner to another, is causing incessant harm to cases, in which the importance of a Pro-se Petitioner's case is being over-looked, due to claims from the Respondent that the Pro-se Petitioner's had "allegedly not followed" a certain rule.

This Court should grant the Pro-se Petitioner's Writ of Certiorari.

CONCLUSION

For all the reasons stated above, The Supreme Court of the United States would have jurisdiction in this matter and should exercise the right in granting the Pro-se Petitioner's Writ of Certiorari. This writ clearly presents a matter of substantial question to the General Public Importance and the NCLB Act to have all Pro-se Petitioners treated equally.

Respectfully Submitted,



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